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Attorneys for Defendant

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS**

**BEST SUNSHINE INTERNATIONAL LTD.
(BVI); IMPERIAL PACIFIC
INTERNATIONAL (CNMI), LLC**

Plaintiffs,

v.

**COMMONWEALTH CASINO
COMMISSION**

Defendant.

CIVIL CASE NO. 1:22cv-00007

**DEFENDANT'S NOTICE OF
AMERICAN ARBITRATION
ASSOCIATION CASE STATUS**

Judge: Hon. Ramona V. Manglona

1 COMES NOW Defendant Commonwealth Casino Commission, through its counsel, and
2 files Defendant's Notice of American Arbitration Association Case Status.

3 On August 25, 2022, counsel for Plaintiffs submitted to the American Arbitration
4 Association ("AAA") International Centre for Dispute Resolution ("ICDR") a copy of this
5 Court's Minute Entry from the proceedings in this case as of August 24, 2022. (Exhibit A.)
6 AAA-ICDR acknowledged receipt of the Minute Entry, and requested to be informed once a
7 court order is issued. (Exhibit B.) AAA-ICDR also stated that "For the avoidance of doubt, at
8 this time we are proceeding with the case as discussed in our conference call of August 24, 2020,
9 and memorialized in our letter of August 25, 2022." (*Id.*)

10 Also on August 25, 2022, Plaintiffs and Defendant by and through their counsel
11 participated in an Administrative Conference before the AAA-ICDR. During the Administrative
12 Conference, AAA-ICDR confirmed certain deadlines for the pending arbitration proceedings,
13 including the filing of a Checklist for Conflicts due as of August 30, 2022; the filing of a
14 statement due as of September 1, 2022 at 8:00 am ChST, regarding the parties' agreement or
15 comments regarding the number of arbitrators and the place of arbitration; and the filing of
16 Respondent's Answer to the Notice of Arbitration due as of September 15, 2022. Those
17 deadlines are also memorialized in a letter from AAA-ICDR as of that same date. (Exhibit C.)

18 This Court's Minute Entry states, among other findings, that "Court ordered Commission
19 to participate in the arbitration." Also, it states that "there was a waiver of a right to arbitrate as
20 to the 2020 proceedings." Finally, it states that "Court apprised counsel that its order does not
21 prohibit the Commission from pursuing its rights and will articulate this in writing." The extent
22 to which the Commission is required to participate in arbitration as well as the scope of such a
23 waiver and of the Commission's rights to be articulated by the Court are critical to Defendant's
24 decisions regarding whether and how to proceed with its pursuit of claims now subject to
25 arbitration before the AAA-ICDR.

26 To avoid arbitrating issues waived by Plaintiffs and/or issues that may be subject to
27 dismissal by Defendant before the Commission consistent with the Court's written order,
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1 Defendant has requested that AAA-ICDR stay the arbitration proceedings pending the entry of
2 this Court's written order. (Exhibit D.) On August 31, 2022, AAA-ICDR acknowledge receipt of
3 the Defendant's request for a stay and invited Plaintiffs the opportunity to respond on or before
4 September 1, 2022. (Exhibit E).

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6
7 Dated: August 31, 2022

Respectfully Submitted,

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9 OFFICE OF THE ATTORNEY GENERAL

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12 /s/
Keisha Blaise (T0151)
13 Assistant Attorney General

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15 /s/
Alison M. Nelson (T0160)
16 Assistant Attorney General

17 Attorneys for Defendant
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CERTIFICATE OF SERVICE

I hereby certify that the above and foregoing was electronically filed on August 31, 2022, with service requested to all parties of record.

/s/

Keisha Blaise (T0151)
Assistant Attorney General
Attorney for Defendant